



**An Amendment to Article 2 General Regulations  
of the Unified Development Ordinance (UDO) of the  
Town of Sunset Beach, North Carolina**

**THAT WHEREAS**, the Town has enacted a Unified Development Ordinance that control land development within both the Town’s incorporated areas and within its extraterritorial area; and

**WHEREAS**, in order to promote the public health, safety and general welfare and to promote the best interests of the town and community, it is necessary from time to time for the Town Council to consider appropriate revisions, modifications and additions to the town’s Unified Development Ordinance; and

**WHEREAS**, Town staff has initiated a text amendment requesting a review of the town’s Unified Development Ordinance concerning Maintenance of Docks, Piers and Bulkheads; and

**WHEREAS**, the Planning Board initially reviewed and deliberated the options, and reached a 3 to 0 vote to recommend to the Town Council that an amendment adding subsection 2.20 titled Maintenance of Docks, Piers and Bulkheads be approved; and

**WHEREAS**, pursuant to N. C. General Statutes and town ordinances, a public hearing, properly noticed , was held on June 6, 2016, where public comment was heard and considered by the Town Council regarding this issue; and

**WHEREAS**, the Planning Board and Town Council find that the proposed amendment to the Unified Development Ordinance Article 2 General Regulations subsection 2.20 is (i) consistent with the Town’s comprehensive plan (2010 Town of Sunset Beach CAMA Land Use Plan) and all other applicable plans and policies adopted by the Town, which is consistence with Goal 12 of the Land Use Compatibility Policy Statements: Bulkhead installation, groins, or seawalls must be built in compliance with CAMA’s 7H and other state guidelines. Maintenance and replacement of existing bulkheads will be permitted” and (ii) that it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of Sunset Beach.; and

WHEREAS, the Town Council further finds that the approval of this proposed amendment is reasonable and in the public interest in that the amendment: (i) provides for additional protections of water-front property owners, (ii) works to help alleviate potential erosion and negative environmental impacts associated with development adjacent to water bodies, and (iii) will offer added protection from natural disaster events by helping to maintain the natural ecosystem.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Sunset Beach that Unified Development Ordinance Article 2 General Regulations is hereby amended to add Section 2.20 as follows:

**SECTION 2.20 Maintenance of docks, piers, and bulkheads.**

(A) Docks, Piers and Bulkheads shall be kept in good repair and condition so as to not adversely threaten or affect the health, safety or general welfare of adjacent property owners or the general public. In the event that the Town determines that a dock, pier or bulkhead is in a state of disrepair, staff shall notify the owner of the defective conditions along with the repairs required to remedy said condition. The owner shall have fourteen (14) days from notification to make the necessary repairs to said dock, pier or bulkhead. If repairs cannot be made in the fourteen (14) day time period, the owner shall notify the Town within said time period to request an extension of 30 days. If the owner does not request an extension following the (14) day notification period, the Town will impose general penalty as outlined in article 10.99 of the Code of Ordinances.

(1) Minimum Standards for structural condition

- (a) Walls, partitions or supporting members, sills, joists, rafters or other structural members shall not list, lean or buckle and shall not be damaged.
- (b) Floors and roofs shall have adequate supporting members and strength to be reasonably safe.
- (c) Foundations, foundation walls, piers, pilings or other foundation supports shall not be deteriorated or damaged.
- (d) Steps, stairs, landings, porches, decks, gazebos, walkways or other parts or appurtenances shall be maintained in such condition that they not fail or collapse.

(B) In the event that the owner fails to timely repair the dock, pier, or bulkhead, as required by the Town, and the dock, pier or bulkhead is in a condition so as to be of imminent threat to the health, safety or general welfare of the adjacent property owners or the general public, the town may remove, dispose, and/or repair of any portion of such structure(s) upon five (5) days' notice to the owner.

Adopted this the \_\_\_\_ day of \_\_\_\_\_, 2016

Town of Sunset Beach

\_\_\_\_\_  
By: Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk